I do not specify at this time the kind of tribunal. That will require some further analysis. It could be a military tribunal to try those offenses where the victims are soldiers of the U.S. Army, or of the British Army, or soldiers of the coalition forces.

It might be an international tribunal such as that which was established for the former Yugoslavia, or Rwanda.

It is worth noting, and the Iraqi officials ought to be watching, what has happened at The Hague and what happened in Rwanda. The former head of state of Rwanda is now serving a life sentence—notwithstanding that he was the head of state of Rwanda—for crimes against humanity. In a well-publicized case, former Yugoslavian President Milosevic is now on trial in The Hague for violations of international law and crimes against humanity. Many have been sentenced for criminal conduct, for violations of international law in Bosnia and in Kosovo. So at this early stage I believe it is important that the word go out to the Iraqi high command and to those who follow orders of the Iraqi high command that they will be prosecuted as war criminals.

It is not a defense that someone says that he or she is operating under an order from a superior officer. In a very celebrated case in World War I, a German U-boat sank an Allied ship. As it went down, those in lifeboats were machinegunned by the submarine, which had surfaced. The perpetrator of the machinegunning entered a defense that the machinegunner was operating under superior's orders. That was soundly rejected. So the principle has been established as a matter of international law that it is no defense to say a person operates under superior's orders.

Of course, it is not a defense at all for ranking officials such as the Iraqi Vice President and the Iraqi Deputy Prime Minister, who know better, who are engaging in these violations of international law. Those who carry out the orders of these Iraqis ought to be on notice, too, that these matters will not be over when we win the war, when the war stops, because these individuals will be pursued in trials just as the head of state of Rwanda was pursued and is serving a life sentence; just as former President Milosevic is being pursued and prosecuted; as so many others are being pursued.

This word ought to go out in a very forceful way to the Iraqis that this conduct in violation of international law will not be tolerated.

In 1998 I introduced S. Con. Res. 78 calling for a war crimes tribunal to try Saddam Hussein as a war criminal. On March 13, 1998, that was passed unanimously, 93 to nothing, by the Senate. So there is a demonstrated interest on the part of this body in acting very forcefully to give notice to, not only Saddam Hussein, but other Iraqi officials and those who carry out their orders that they will be prosecuted as war criminals if they continue to violate international law.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Monday, March 31, 2003, at 4:00 p.m., in open session, to receive testimony on the U.S. Air Force investigation into allegations of sexual assault at the U.S. Air Force Academy and related recommendations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. THOMAS. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Monday, March 31, 2003, at 2:00 p.m., in open session to receive testimony on the science and technology program and the role of Department of Defense laboratories in review of the Defense authorization request for fiscal year 2004.

The PRESIDING OFFICER. Without objection, it is so ordered.

## HOUSE CONCURRENT RESOLUTION 95

The Senate passed H. Con. Res. 95 on Wednesday, March 26, 2003 as follows:

In the Senate of the United States, March 26, 2003.

*Resolved*, That the resolution from the House of Representatives (H. Con. Res. 95) entitled ''Concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013.'', do pass with the following amendment:

Strike out all after the resolving clause and insert:

***SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2004.***

*(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal years 2003 and 2004 including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013 as authorized by section 301 of the Congressional Budget Act of 1974 (2 U.S.C. 632).*

*(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:*

## TITLE I—LEVELS AND AMOUNTS

**SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.**

The following budgetary levels are appropriate for the fiscal years 2003 through 2013:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2003: $1,333,861,000,000.
Fiscal year 2004: $1,400,789,000,000.
Fiscal year 2005: $1,566,044,000,000.
Fiscal year 2006: $1,702,314,000,000.
Fiscal year 2007: $1,828,213,000,000.
Fiscal year 2008: $1,935,251,000,000.
Fiscal year 2009: $2,043,323,000,000.
Fiscal year 2010: $2,141,398,000,000.
Fiscal year 2011: $2,309,946,000,000.
Fiscal year 2012: $2,463,192,000,000.
Fiscal year 2013: $2,522,440,090,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2003: −$25,973,000,000.
Fiscal year 2004: −$65,581,000,000
Fiscal year 2005: −$50,982,000,000.
Fiscal year 2006: −$38,358,000,000.
Fiscal year 2007: −$24,953,000,000.
Fiscal year 2008: −$27,726,000,000.
Fiscal year 2009: −$35,007,000,000.
Fiscal year 2010: −$51,644,000,000.
Fiscal year 2011: −$117,550,000,000.
Fiscal year 2012: −$186,587,000,000.
Fiscal year 2013: −$176,785,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2003: $1,794,227,000,000.
Fiscal year 2004: $1,874,032,000,000.
Fiscal year 2005: $1,994,686,000,000.
Fiscal year 2006: $2,124,245,000,000.
Fiscal year 2007: $2,235,720,000,000.
Fiscal year 2008: $2,348,071,000,000.
Fiscal year 2009: $2,437,669,000,000.
Fiscal year 2010: $2,500,565,000,000.
Fiscal year 2011: $2,635,593,000,000.
Fiscal year 2012: $2,714,087,000,000.
Fiscal year 2013: $2,826,659,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2003: $1,781,356,000,000.
Fiscal year 2004: $1,861,586,000,000.
Fiscal year 2005: $1,978,275,000,000.
Fiscal year 2006: $2,086,486,000,000.
Fiscal year 2007: $2,190,507,000,000.
Fiscal year 2008: $2,302,685,000,000.
Fiscal year 2009: $2,401,719,000,000.
Fiscal year 2010: $2,482,496,000,000.
Fiscal year 2011: $2,620,630,000,000.
Fiscal year 2012: $2,683,238,000,000.
Fiscal year 2013: $2,804,218,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2003: −$447,570,000,000.
Fiscal year 2004: −$460,721,000,000.
Fiscal year 2005: −$411,598,000,000.
Fiscal year 2006: −$383,662,000,000.
Fiscal year 2007: −$362,067,000,000.
Fiscal year 2008: −$367,527,000,000.
Fiscal year 2009: −$358,779,000,000.
Fiscal year 2010: −$341,720,000,000.
Fiscal year 2011: −$312,000,000,000.
Fiscal year 2012: −$221,616,000,000.
Fiscal year 2013: −$178,665,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2003: $6,677,267,000,000.
Fiscal year 2004: $7,215,918,000,000.
Fiscal year 2005: $7,733,105,000,000.
Fiscal year 2006: $8,241,417,000,000.
Fiscal year 2007: $8,732,633,000,000.
Fiscal year 2008: $9,233,290,000,000.
Fiscal year 2009: $9,726,900,000,000.
Fiscal year 2010: $10,207,984,000,000.
Fiscal year 2011: $10,663,002,000,000.
Fiscal year 2012: $11,034,232,000,000.
Fiscal year 2013: $11,363,714,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of the debt held by the public are as follows:

Fiscal year 2003: $3,847,900,000,000.
Fiscal year 2004: $4,131,037,000,000.
Fiscal year 2005: $4,354,830,000,000.
Fiscal year 2006: $4,536,407,000,000.
Fiscal year 2007: $4,676,003,000,000.
Fiscal year 2008: $4,800,602,000,000.
Fiscal year 2009: $4,896,298,000,000.
Fiscal year 2010: $4,955,445,000,000.
Fiscal year 2011: $4,966,079,000,000.
Fiscal year 2012: $4,870,951,000,000.
Fiscal year 2013: $4,517,682,000,000.

**SEC. 102. SOCIAL SECURITY.**

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2003: $531,607,000,000.
Fiscal year 2004: $557,826,000,000.
Fiscal year 2005: $587,785,000,000.
Fiscal year 2006: $619,062,000,000.
Fiscal year 2007: $651,128,000,000.
Fiscal year 2008: $684,409,000,000.
Fiscal year 2009: $719,112,000,000.
Fiscal year 2010: $755,724,000,000.
Fiscal year 2011: $792,122,000,000.
Fiscal year 2012: $829,538,000,000.
Fiscal year 2013: $869,650,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2003: $366,296,000,000.
Fiscal year 2004: $380,467,000,000.
Fiscal year 2005: $390,247,000,000.
Fiscal year 2006: $402,579,000,000.
Fiscal year 2007: $415,605,000,000.
Fiscal year 2008: $429,595,000,000.
Fiscal year 2009: $446,203,000,000.
Fiscal year 2010: $464,626,000,000.
Fiscal year 2011: $483,334,000,000.
Fiscal year 2012: $506,507,000,000.
Fiscal year 2013: $533,097,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2003:
(A) New budget authority, $3,812,000,000.
(B) Outlays, $3,838,000,000.
Fiscal year 2004:
(A) New budget authority, $4,257,000,000.
(B) Outlays, $4,207,000,000.
Fiscal year 2005:
(A) New budget authority, $4,338,000,000.
(B) Outlays, $4,301,000,000.
Fiscal year 2006:
(A) New budget authority, $4,424,000,000.
(B) Outlays, $4,409,000,000.
Fiscal year 2007:
(A) New budget authority, $4,522,000,000.
(B) Outlays, $4,505,000,000.
Fiscal year 2008:
(A) New budget authority, $4,638,000,000.
(B) Outlays, $4,617,000,000.
Fiscal year 2009:
(A) New budget authority, $4,792,000,000.
(B) Outlays, $4,766,000,000.
Fiscal year 2010:
(A) New budget authority, $4,954,000,000.
(B) Outlays, $4,924,000,000.
Fiscal year 2011:
(A) New budget authority, $5,121,000,000.
(B) Outlays, $5,091,000,000.
Fiscal year 2012:
(A) New budget authority, $5,292,000,000.
(B) Outlays, $5,260,000,000.
Fiscal year 2013:
(A) New budget authority, $5,471,000,000.
(B) Outlays, $5,439,000,000.

**SEC. 103. MAJOR FUNCTIONAL CATEGORIES.**

Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal years 2003 through 2013 for each major functional category are:

(1) National Defense (050):
Fiscal year 2003:
(A) New budget authority, $395,494,000,000.
(B) Outlays, $389,229,000,000.
Fiscal year 2004:
(A) New budget authority, $400,658,000,000.
(B) Outlays, $401,064,000,000.
Fiscal year 2005:
(A) New budget authority, $420,402,000,000.
(B) Outlays, $414,536,000,000.
Fiscal year 2006:
(A) New budget authority, $440,769,000,000.
(B) Outlays, $426,591,000,000.
Fiscal year 2007:
(A) New budget authority, $461,400,000,000.
(B) Outlays, $439,621,000,000.
Fiscal year 2008:
(A) New budget authority, $482,340,000,000.
(B) Outlays, $464,315,000,000.
Fiscal year 2009:
(A) New budget authority, $489,209,000,000.
(B) Outlays, $477,989,000,000.
Fiscal year 2010:
(A) New budget authority, $495,079,000,000.
(B) Outlays, $487,993,000,000.
Fiscal year 2011:
(A) New budget authority, $502,947,000,000.
(B) Outlays, $500,478,000,000.
Fiscal year 2012:
(A) New budget authority, $510,984,000,000.
(B) Outlays, $501,628,000,000.
Fiscal year 2013:
(A) New budget authority, $519,393,000,000.
(B) Outlays, $514,885,000,000.

(2) International Affairs (150):
Fiscal year 2003:
(A) New budget authority, $22,506,000,000.
(B) Outlays, $19,283,000,000.
Fiscal year 2004:
(A) New budget authority, $25,681,000,000.
(B) Outlays, $24,207,000,000.
Fiscal year 2005:
(A) New budget authority, $29,734,000,000.
(B) Outlays, $24,917,000,000.
Fiscal year 2006:
(A) New budget authority, $32,308,000,000.
(B) Outlays, $26,539,000,000.
Fiscal year 2007:
(A) New budget authority, $33,603,000,000.
(B) Outlays, $28,464,000,000.
Fiscal year 2008:
(A) New budget authority, $34,611,000,000.
(B) Outlays, $29,604,000,000.
Fiscal year 2009:
(A) New budget authority, $35,413,000,000.
(B) Outlays, $30,733,000,000.
Fiscal year 2010:
(A) New budget authority, $36,258,000,000.
(B) Outlays, $31,689,000,000.
Fiscal year 2011:
(A) New budget authority, $37,136,000,000.
(B) Outlays, $32,565,000,000.
Fiscal year 2012:
(A) New budget authority, $38,005,000,000.
(B) Outlays, $33,408,000,000.
Fiscal year 2013:
(A) New budget authority, $38,885,000,000.
(B) Outlays, $34,298,000,000.

(3) General Science, Space, and Technology (250):

*Fiscal year 2003:*
*(A) New budget authority, $23,153,000,000.*
*(B) Outlays, $21,556,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $23,603,000,000.*
*(B) Outlays, $22,728,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $24,433,000,000.*
*(B) Outlays, $23,715,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $25,217,000,000.*
*(B) Outlays, $24,420,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $26,055,000,000.*
*(B) Outlays, $25,202,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $26,832,000,000.*
*(B) Outlays, $25,942,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $27,462,000,000.*
*(B) Outlays, $26,639,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $28,121,000,000.*
*(B) Outlays, $27,296,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $28,805,000,000.*
*(B) Outlays, $27,963,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $29,492,000,000.*
*(B) Outlays, $28,639,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $30,185,000,000.*
*(B) Outlays, $29,319,000,000.*
*(4) Energy (270):*
*Fiscal year 2003:*
*(A) New budget authority, $2,074,000,000.*
*(B) Outlays, $439,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $2,634,000,000.*
*(B) Outlays, $873,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $2,797,000,000.*
*(B) Outlays, $947,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $2,714,000,000.*
*(B) Outlays, $1,272,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $2,540,000,000.*
*(B) Outlays, $1,069,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $3,080,000,000.*
*(B) Outlays, $1,419,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $3,090,000,000.*
*(B) Outlays, $1,686,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $3,194,000,000.*
*(B) Outlays, $1,794,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $3,296,000,000.*
*(B) Outlays, $1,976,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $3,408,000,000.*
*(B) Outlays, $2,357,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $3,520,000,000.*
*(B) Outlays, $2,326,000,000.*
*(5) Natural Resources and Environment (300):*
*Fiscal year 2003:*
*(A) New budget authority, $30,816,000,000.*
*(B) Outlays, $28,940,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $35,253,000,000.*
*(B) Outlays, $31,378,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $32,639,000,000.*
*(B) Outlays, $32,325,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $33,261,000,000.*
*(B) Outlays, $33,889,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $33,576,000,000.*
*(B) Outlays, $34,128,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $34,245,000,000.*
*(B) Outlays, $34,119,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $35,370,000,000.*
*(B) Outlays, $34,701,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $36,198,000,000.*
*(B) Outlays, $35,512,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $36,958,000,000.*
*(B) Outlays, $36,267,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $37,592,000,000.*
*(B) Outlays, $36,874,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $38,316,000,000.*
*(B) Outlays, $37,677,000,000.*
*(6) Agriculture (350):*
*Fiscal year 2003:*
*(A) New budget authority, $24,418,000,000.*
*(B) Outlays, $23,365,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $24,457,000,000.*
*(B) Outlays, $23,530,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $26,844,000,000.*
*(B) Outlays, $25,604,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $26,661,000,000.*
*(B) Outlays, $25,426,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $26,141,000,000.*
*(B) Outlays, $24,949,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $25,363,000,000.*
*(B) Outlays, $24,237,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $25,943,000,000.*
*(B) Outlays, $24,979,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $25,407,000,000.*
*(B) Outlays, $24,578,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $24,864,000,000.*
*(B) Outlays, $24,053,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $24,455,000,000.*
*(B) Outlays, $23,660,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $24,185,000,000.*
*(B) Outlays, $23,386,000,000.*
*(7) Commerce and Housing Credit (370):*
*Fiscal year 2003:*
*(A) New budget authority, $8,812,000,000.*
*(B) Outlays, $5,881,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $7,428,000,000.*
*(B) Outlays, $3,486,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $8,655,000,000.*
*(B) Outlays, $3,962,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $8,192,000,000.*
*(B) Outlays, $3,028,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $8,538,000,000.*
*(B) Outlays, $2,563,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $8,655,000,000.*
*(B) Outlays, $2,155,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $8,438,000,000.*
*(B) Outlays, $1,931,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $8,319,000,000.*
*(B) Outlays, $1,450,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $8,298,000,000.*
*(B) Outlays, $846,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $8,401,000,000.*
*(B) Outlays, $554,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $8,475,000,000.*
*(B) Outlays, $668,000,000.*
*(8) Transportation (400):*
*Fiscal year 2003:*
*(A) New budget authority, $64,091,000,000.*
*(B) Outlays, $67,847,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $75,783,000,000.*
*(B) Outlays, $71,555,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $76,502,000,000.*
*(B) Outlays, $71,581,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $77,515,000,000.*
*(B) Outlays, $73,035,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $79,931,000,000.*
*(B) Outlays, $74,938,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $82,747,000,000.*
*(B) Outlays, $77,285,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $85,361,000,000.*
*(B) Outlays, $79,865,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $72,323,000,000.*
*(B) Outlays, $79,034,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $73,183,000,000.*
*(B) Outlays, $75,686,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $74,067,000,000.*
*(B) Outlays, $74,865,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $74,987,000,000.*
*(B) Outlays, $75,124,000,000.*
*(9) Community and Regional Development (450):*
*Fiscal year 2003:*
*(A) New budget authority, $15,751,000,000.*
*(B) Outlays, $17,569,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $14,323,000,000.*
*(B) Outlays, $16,716,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $14,398,000,000.*
*(B) Outlays, $16,696,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $14,581,000,000.*
*(B) Outlays, $15,553,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $14,796,000,000.*
*(B) Outlays, $15,096,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $15,005,000,000.*
*(B) Outlays, $14,383,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $15,240,000,000.*
*(B) Outlays, $14,558,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $15,493,000,000.*
*(B) Outlays, $14,761,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $15,752,000,000.*
*(B) Outlays, $15,010,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $16,015,000,000.*
*(B) Outlays, $15,252,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $16,283,000,000.*
*(B) Outlays, $15,519,000,000.*
*(10) Education, Training, Employment, and Social Services (500):*
*Fiscal year 2003:*
*(A) New budget authority, $82,974,000,000.*
*(B) Outlays, $81,531,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $97,609,602,000.*
*(B) Outlays, $86,279,192,040.*
*Fiscal year 2005:*
*(A) New budget authority, $91,777,000,000.*
*(B) Outlays, $91,286,709,260.*
*Fiscal year 2006:*
*(A) New budget authority, $92,818,000,000.*
*(B) Outlays, $91,964,210,600.*
*Fiscal year 2007:*
*(A) New budget authority, $95,959,000,000.*
*(B) Outlays, $92,948,420,100.*
*Fiscal year 2008:*
*(A) New budget authority, $99,315,000,000.*
*(B) Outlays, $95,279,070,000.*
*Fiscal year 2009:*
*(A) New budget authority, $102,203,000,000.*
*(B) Outlays, $98,470,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $104,059,000,000.*
*(B) Outlays, $101,281,000,000.*

*Fiscal year 2011:*
*(A) New budget authority, $106,160,000,000.*
*(B) Outlays, $103,536,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $108,544,000,000.*
*(B) Outlays, $105,570,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $110,143,000,000.*
*(B) Outlays, $107,642,000,000.*
*(11) Health (550):*
*Fiscal year 2003:*
*(A) New budget authority, $222,913,000,000.*
*(B) Outlays, $217,881,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $248,464,000,000.*
*(B) Outlays, $246,670,960,000.*
*Fiscal year 2005:*
*(A) New budget authority, $264,948,000,000.*
*(B) Outlays, $264,679,520,000.*
*Fiscal year 2006:*
*(A) New budget authority, $284,216,000,000.*
*(B) Outlays, $284,023,760,000.*
*Fiscal year 2007:*
*(A) New budget authority, $304,438,000,000.*
*(B) Outlays, $303,521,840,000.*
*Fiscal year 2008:*
*(A) New budget authority, $326,942,000,000.*
*(B) Outlays, $325,618,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $350,373,000,000.*
*(B) Outlays, $348,889,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $375,419,000,000.*
*(B) Outlays, $373,890,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $401,552,000,000.*
*(B) Outlays, $400,014,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $415,777,000,000.*
*(B) Outlays, $414,359,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $445,554,000,000.*
*(B) Outlays, $444,147,000,000.*
*(12) Medicare (570):*
*Fiscal year 2003:*
*(A) New budget authority, $248,586,000,000.*
*(B) Outlays, $248,434,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $265,178,000,000.*
*(B) Outlays, $265,443,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $282,869,000,000.*
*(B) Outlays, $285,817,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $322,045,000,000.*
*(B) Outlays, $318,806,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $344,178,000,000.*
*(B) Outlays, $344,448,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $369,577,000,000.*
*(B) Outlays, $369,452,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $395,685,000,000.*
*(B) Outlays, $395,424,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $422,684,000,000.*
*(B) Outlays, $422,942,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $453,721,000,000.*
*(B) Outlays, $457,078,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $488,367,000,000.*
*(B) Outlays, $484,541,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $526,981,000,000.*
*(B) Outlays, $527,237,000,000.*
*(13) Income Security (600):*
*Fiscal year 2003:*
*(A) New budget authority, $326,390,000,000.*
*(B) Outlays, $334,169,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $319,513,000,000.*
*(B) Outlays, $324,701,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $333,810,000,000.*
*(B) Outlays, $337,157,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $341,805,000,000.*
*(B) Outlays, $344,322,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $349,191,000,000.*
*(B) Outlays, $350,983,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $362,006,000,000.*
*(B) Outlays, $363,115,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $373,681,000,000.*
*(B) Outlays, $374,384,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $385,152,000,000.*
*(B) Outlays, $385,671,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $400,573,000,000.*
*(B) Outlays, $401,003,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $404,045,000,000.*
*(B) Outlays, $404,453,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $418,978,000,000.*
*(B) Outlays, $419,551,000,000.*
*(14) Social Security (650):*
*Fiscal year 2003:*
*(A) New budget authority, $13,255,000,000.*
*(B) Outlays, $13,255,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $14,294,000,000.*
*(B) Outlays, $14,293,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $15,471,000,000.*
*(B) Outlays, $15,471,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $16,421,000,000.*
*(B) Outlays, $16,421,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $17,919,000,000.*
*(B) Outlays, $17,919,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $19,704,000,000.*
*(B) Outlays, $19,704,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $21,810,000,000.*
*(B) Outlays, $21,810,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $24,283,000,000.*
*(B) Outlays, $24,283,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $28,170,000,000.*
*(B) Outlays, $28,170,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $31,357,000,000.*
*(B) Outlays, $31,357,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $34,347,000,000.*
*(B) Outlays, $34,347,000,000.*
*(15) Veterans Benefits and Services (700):*
*Fiscal year 2003:*
*(A) New budget authority, $57,597,000,000.*
*(B) Outlays, $57,486,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $63,773,000,000.*
*(B) Outlays, $63,200,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $67,125,000,000.*
*(B) Outlays, $66,530,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $65,388,000,000.*
*(B) Outlays, $64,970,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $63,859,000,000.*
*(B) Outlays, $63,416,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $67,645,000,000.*
*(B) Outlays, $67,374,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $69,254,000,000.*
*(B) Outlays, $68,899,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $70,967,000,000.*
*(B) Outlays, $70,563,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $75,643,000,000.*
*(B) Outlays, $75,223,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $72,592,000,000.*
*(B) Outlays, $72,071,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $77,429,000,000.*
*(B) Outlays, $76,963,000,000.*
*(16) Administration of Justice (750):*
*Fiscal year 2003:*
*(A) New budget authority, $38,543,000,000.*
*(B) Outlays, $37,712,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $37,757,000,000.*
*(B) Outlays, $40,882,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $38,077,000,000.*
*(B) Outlays, $39,324,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $37,965,000,000.*
*(B) Outlays, $38,348,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $38,442,000,000.*
*(B) Outlays, $38,233,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $39,458,000,000.*
*(B) Outlays, $39,109,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $40,478,000,000.*
*(B) Outlays, $40,193,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $41,580,000,000.*
*(B) Outlays, $41,280,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $42,870,000,000.*
*(B) Outlays, $42,453,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $44,188,000,000.*
*(B) Outlays, $43,741,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $45,557,000,000.*
*(B) Outlays, $45,101,000,000.*
*(17) General Government (800):*
*Fiscal year 2003:*
*(A) New budget authority, $18,195,000,000.*
*(B) Outlays, $18,120,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $20,012,000,000.*
*(B) Outlays, $19,876,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $20,341,000,000.*
*(B) Outlays, $20,420,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $22,396,000,000.*
*(B) Outlays, $22,225,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $21,147,000,000.*
*(B) Outlays, $20,897,000,000.*
*Fiscal year 2008:*
*(A) New budget authority, $21,646,000,000.*
*(B) Outlays, $21,423,000,000.*
*Fiscal year 2009:*
*(A) New budget authority, $21,957,000,000.*
*(B) Outlays, $21,515,000,000.*
*Fiscal year 2010:*
*(A) New budget authority, $22,706,000,000.*
*(B) Outlays, $22,223,000,000.*
*Fiscal year 2011:*
*(A) New budget authority, $23,469,000,000.*
*(B) Outlays, $22,957,000,000.*
*Fiscal year 2012:*
*(A) New budget authority, $24,267,000,000.*
*(B) Outlays, $23,892,000,000.*
*Fiscal year 2013:*
*(A) New budget authority, $25,138,000,000.*
*(B) Outlays, $24,582,000,000.*
*(18) Net Interest (900):*
*Fiscal year 2003:*
*(A) New budget authority, $239,648,000,000.*
*(B) Outlays, $239,648,000,000.*
*Fiscal year 2004:*
*(A) New budget authority, $255,627,000,000.*
*(B) Outlays, $255,627,000,000.*
*Fiscal year 2005:*
*(A) New budget authority, $301,415,000,000.*
*(B) Outlays, $301,415,000,000.*
*Fiscal year 2006:*
*(A) New budget authority, $338,960,000,000.*
*(B) Outlays, $338,960,000,000.*
*Fiscal year 2007:*
*(A) New budget authority, $364,560,000,000.*
*(B) Outlays, $364,560,000,000.*
*Fiscal year 2008:*

(A) New budget authority, $387,284,000,000.
(B) Outlays, $387,284,000,000.
Fiscal year 2009:
(A) New budget authority, $409,603,000,000.
(B) Outlays, $409,603,000,000.
Fiscal year 2010:
(A) New budget authority, $429,721,000,000.
(B) Outlays, $429,721,000,000.
Fiscal year 2011:
(A) New budget authority, $449,879,000,000.
(B) Outlays, $449,879,000,000.
Fiscal year 2012:
(A) New budget authority, $467,960,000,000.
(B) Outlays, $467,960,000,000.
Fiscal year 2013:
(A) New budget authority, $480,344,000,000.
(B) Outlays, $480,344,000,000.
(19) Allowances (920):
Fiscal year 2003:
(A) New budget authority, $115,000,000.
(B) Outlays, $115,000,000.
Fiscal year 2004:
(A) New budget authority, −$16,121,602,000.
(B) Outlays, −$8,343,152,040.
Fiscal year 2005:
(A) New budget authority, −$5,943,000,000.
(B) Outlays, −$6,134,229,260.
Fiscal year 2006:
(A) New budget authority, −$2,104,000,000.
(B) Outlays, −$5,958,970,600.
Fiscal year 2007:
(A) New budget authority, −$1,467,000,000.
(B) Outlays, −$3,698,260,100.
Fiscal year 2008:
(A) New budget authority, −$6,263,000,000.
(B) Outlays, −$7,163,070,000.
Fiscal year 2009:
(A) New budget authority, −$19,939,000,000.
(B) Outlays, −$17,617,000,000.
Fiscal year 2010:
(A) New budget authority, −$41,290,000,000.
(B) Outlays, −$38,356,000,000.
Fiscal year 2011:
(A) New budget authority, −$19,883,000,000.
(B) Outlays, −$16,729,000,000.
Fiscal year 2012:
(A) New budget authority, −$23,031,000,000.
(B) Outlays, −$19,546,000,000.
Fiscal year 2013:
(A) New budget authority, −$27,371,000,000.
(B) Outlays, −$24,228,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2003:
(A) New budget authority, −$41,104,000,000.
(B) Outlays, −$41,104,000,000.
Fiscal year 2004:
(A) New budget authority, −$42,894,000,000.
(B) Outlays, −$42,894,000,000.
Fiscal year 2005:
(A) New budget authority, −$52,608,000,000.
(B) Outlays, −$52,608,000,000.
Fiscal year 2006:
(A) New budget authority, −$57,884,000,000.
(B) Outlays, −$57,884,000,000.
Fiscal year 2007:
(A) New budget authority, −$49,087,000,000.
(B) Outlays, −$49,087,000,000.
Fiscal year 2008:
(A) New budget authority, −$52,121,000,000.
(B) Outlays, −$52,121,000,000.
Fiscal year 2009:
(A) New budget authority, −$52,962,000,000.
(B) Outlays, −$52,962,000,000.
Fiscal year 2010:
(A) New budget authority, −$55,108,000,000.
(B) Outlays, −$55,108,000,000.
Fiscal year 2011:
(A) New budget authority, −$57,359,000,000.
(B) Outlays, −$57,359,000,000.
Fiscal year 2012:
(A) New budget authority, −$62,012,000,000.
(B) Outlays, −$62,012,000,000.
Fiscal year 2013:
(A) New budget authority, −$64,358,000,000.
(B) Outlays, −$64,358,000,000.

**SEC. 104. RECONCILIATION IN THE SENATE.**

The Senate Committee on Finance shall report a reconciliation bill not later than April 8, 2003, that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than $322,524,000,000 and increase the total level of outlays by not more than $27,476,000,000 for the period of fiscal years 2003 through 2013.

## TITLE II—BUDGET ENFORCEMENT AND RULEMAKING

### Subtitle A—Budget Enforcement

**SEC. 201. EXTENSION OF SUPERMAJORITY ENFORCEMENT.**

(a) IN GENERAL.—Notwithstanding any provision of the Congressional Budget Act of 1974, subsections (c)(2) and (d)(3) of section 904 of the Congressional Budget Act of 1974 shall remain in effect for purposes of Senate enforcement through September 30, 2008.

(b) REPEAL.—Senate Resolution 304, agreed to October 16, 2002 (107th Congress), is repealed.

**SEC. 202. DISCRETIONARY SPENDING LIMITS IN THE SENATE.**

(a) DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

(1) for fiscal year 2003—

(A) $770,860,000,000 in new budget authority and $771,442,000,000 in outlays for the discretionary category;

(B) for the highway category, $31,264,000,000 in outlays; and

(C) for the mass transit category, $1,436,000,000 in new budget authority, and $6,551,000,000 in outlays;

(2) for fiscal year 2004—

(A) $788,459,000,000 in new budget authority and $797,890,000,000 in outlays for the discretionary category;

(B) for the highway category, $32,016,000,000 in outlays; and

(C) for the mass transit category, $2,209,000,000 in new budget authority, and $6,746,000,000 in outlays; and

(3) for fiscal year 2005—

(A) $813,597,000,000 in new budget authority, and $814,987,000,000 in outlays for the discretionary category;

(B) for the highway category, $34,665,000,000 in outlays; and

(C) for the mass transit category $2,544,000,000 in new budget authority, and $7,109,000,000 in outlays;

as adjusted in conformance with subsection (b).

(b) ADJUSTMENTS.—

(1) IN GENERAL.—

(A) CHAIRMAN.—After the reporting of a bill or joint resolution, the offering of an amendment thereto, or the submission of a conference report thereon, the chairman of the Committee on the Budget may make the adjustments set forth in subparagraph (B) for the amount of new budget authority in that measure (if that measure meets the requirements set forth in paragraph (2)) and the outlays flowing from that budget authority.

(B) MATTERS TO BE ADJUSTED.—The adjustments referred to in subparagraph (A) are to be made to—

(i) the discretionary spending limits, if any, set forth in the appropriate concurrent resolution on the budget;

(ii) the allocations made pursuant to the appropriate concurrent resolution on the budget pursuant to section 302(a); and

(iii) the budgetary aggregates as set forth in the appropriate concurrent resolution on the budget.

(2) AMOUNTS OF ADJUSTMENTS.—The adjustment referred to in paragraph (1) shall be—

(A) an amount provided and designated as an emergency requirement pursuant to section 204;

(B) an amount authorized for grants to States under part B of the Individuals with Disabilities Education Act as provided for in section 211; and

(C) an amount provided for transportation under section 212.

(3) APPLICATION OF ADJUSTMENTS.—The adjustments made for legislation pursuant to paragraph (1) shall—

(A) apply while that legislation is under consideration;

(B) take effect upon the enactment of that legislation; and

(C) be published in the Congressional Record as soon as practicable.

(4) REPORTING REVISED SUBALLOCATIONS.—Following any adjustment made under paragraph (1), the Committees on Appropriations of the Senate shall report appropriately revised suballocations under section 302(b) to carry out this subsection.

**SEC. 203. RESTRICTIONS ON ADVANCE APPROPRIATIONS IN THE SENATE.**

(a) IN GENERAL.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any reported bill or joint resolution, or amendment thereto or conference report thereon, that would provide an advance appropriation.

(b) EXCEPTION.—An advance appropriation may be provided—

(1) for fiscal years 2005 and 2006 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $23,158,000,000 in new budget authority in each year; and

(2) for the Corporation for Public Broadcasting.

(c) APPLICATION OF POINT OF ORDER IN THE SENATE.—

(1) WAIVER AND APPEAL.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(2) FORM OF THE POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(3) CONFERENCE REPORTS.—If a point of order is sustained under subsection (a) against a conference report in the Senate, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

(d) DEFINITION.—In this section, the term ''advance appropriation'' means any discretionary new budget authority in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2004 that first becomes available for any fiscal year after 2004 or making general appropriations or continuing appropriations for fiscal year 2005 that first becomes available for any fiscal year after 2005.

**SEC. 204. EMERGENCY LEGISLATION.**

(a) AUTHORITY TO DESIGNATE.—If a provision of direct spending or receipts legislation is enacted or if appropriations for discretionary accounts are enacted that the President designates as an emergency requirement and that the Congress so designates in statute, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be designated as an emergency requirement for the purpose of this resolution.

(b) DESIGNATIONS.—

(1) GUIDANCE.—If a provision of legislation is designated as an emergency requirement under subsection (a), the committee report and any statement of managers accompanying that legislation shall analyze whether a proposed emergency requirement meets all the criteria in paragraph (2).

(2) CRITERIA.—

(A) IN GENERAL.—The criteria to be considered in determining whether a proposed expenditure or tax change is an emergency requirement are that the expenditure or tax change is—

(i) necessary, essential, or vital (not merely useful or beneficial);

*(ii) sudden, quickly coming into being, and not building up over time;*

*(iii) an urgent, pressing, and compelling need requiring immediate action;*

*(iv) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and*

*(v) not permanent, temporary in nature.*

*(B) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.*

*(3) JUSTIFICATION FOR USE OF DESIGNATION.—When an emergency designation is proposed in any bill, joint resolution, or conference report thereon, the committee report and the statement of managers accompanying a conference report, as the case may be, shall provide a written justification of why the provision meets the criteria set forth in paragraph (2).*

*(c) DEFINITIONS.—In this section, the terms ''direct spending'', ''receipts'', and ''appropriations for discretionary accounts'' means any provision of a bill, joint resolution, amendment, motion or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.*

*(d) POINT OF ORDER.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, a point of order may be made by a Senator against an emergency designation in that measure and if the Presiding Officer sustains that point of order, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.*

*(e) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.*

*(f) DEFINITION OF AN EMERGENCY REQUIREMENT.—A provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to subsection (a).*

*(g) FORM OF THE POINT OF ORDER.—A point of order under this section may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.*

*(h) CONFERENCE REPORTS.—If a point of order is sustained under this section against a conference report, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.*

*(i) EXCEPTION FOR DEFENSE AND HOMELAND SECURITY SPENDING.—Subsection (d) shall not apply against an emergency designation for a provision making discretionary appropriations in the defense category and for homeland security programs.*

***SEC. 205. PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.***

*(a) POINT OF ORDER.—*

*(1) IN GENERAL.—It shall not be in order in the Senate to consider any direct spending or revenue legislation that would increase the on-budget deficit or cause an on-budget deficit for any one of the three applicable time periods as measured in paragraphs (5) and (6).*

*(2) APPLICABLE TIME PERIODS.—For purposes of this subsection, the term ''applicable time period'' means any 1 of the 3 following periods:*

*(A) The first year covered by the most recently adopted concurrent resolution on the budget.*

*(B) The period of the first 5 fiscal years covered by the most recently adopted concurrent resolution on the budget.*

*(C) The period of the 5 fiscal years following the first 5 fiscal years covered in the most recently adopted concurrent resolution on the budget.*

*(3) DIRECT-SPENDING LEGISLATION.—For purposes of this subsection and except as provided in paragraph (4), the term ''direct-spending legislation'' means any bill, joint resolution, amendment, motion, or conference report that affects direct spending as that term is defined by, and interpreted for purposes of, the Balanced Budget and Emergency Deficit Control Act of 1985.*

*(4) EXCLUSION.—For purposes of this subsection, the terms ''direct-spending legislation'' and ''revenue legislation'' do not include—*

*(A) any concurrent resolution on the budget; or*

*(B) any provision of legislation that affects the full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990.*

*(5) BASELINE.—Estimates prepared pursuant to this section shall—*

*(A) use the baseline surplus or deficit used for the most recently adopted concurrent resolution on the budget based on laws enacted on the date of adoption of that resolution as adjusted for up to $350,000,000,000 in revenues or direct spending assumed by section 104 of this resolution; and*

*(B) be calculated under the requirements of subsections (b) through (d) of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal years beyond those covered by that concurrent resolution on the budget.*

*(6) PRIOR SURPLUS.—If direct spending or revenue legislation increases the on-budget deficit or causes an on-budget deficit when taken individually, it must also increase the on-budget deficit or cause an on-budget deficit when taken together with all direct spending and revenue legislation enacted since the beginning of the calendar year not accounted for in the baseline under paragraph (5)(A), except that direct spending or revenue effects resulting in net deficit reduction enacted pursuant to reconciliation instructions since the beginning of that same calendar year shall not be available.*

*(b) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.*

*(c) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.*

*(d) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.*

*(e) SUNSET.—This section shall expire on September 30, 2008.*

***SEC. 206. SENSE OF THE SENATE ON REPORTS ON LIABILITIES AND FUTURE COSTS.***

*It is the sense of the Senate that the Congressional Budget Office shall consult with the Committee on the Budget of the Senate in order to prepare a report containing—*

*(1) an estimate of the unfunded liabilities of the Federal Government;*

*(2) an estimate of the contingent liabilities of Federal programs; and*

*(3) an accrual-based estimate of the current and future costs of Federal programs.*

***Subtitle B—Reserve Funds and Other Adjustments***

***SEC. 211. ADJUSTMENT FOR SPECIAL EDUCATION.***

*(a) IN GENERAL.—In the Senate, if the Committee on Health, Education, Labor, and Pensions reports a bill or joint resolution, and such measure is enacted in 2003 that reauthorizes grants to States under part B of the Individuals with Disabilities Education Act (IDEA) and reforms IDEA so as to provide an allowance of uniform discipline policies for all students; provide local fiscal relief; and minimize the over-identification of students with disabilities, the chairman of the Committee on the Budget may make the revisions set out in subsection (b).*

*(b) REVISIONS.—*

*(1) FISCAL YEAR 2004.—If the Committee on Appropriations reports a bill or joint resolution, or if an amendment thereto is offered or a conference report thereon is submitted, that provides in excess of $4,803,000,000 in new budget authority for fiscal year 2004 for grants to States authorized under part B of IDEA as described in subsection (a), the chairman of the Committee on the Budget may revise the appropriate allocations for such committee and other appropriate levels in this resolution by that excess amount provided by that measure for that purpose, but not to exceed $205,000,000 in new budget authority for fiscal year 2004 and outlays flowing therefrom.*

*(2) FISCAL YEAR 2005.—If the Committee on Appropriations reports a bill or joint resolution, or if an amendment thereto is offered or a conference report thereon is submitted, that when combined with any advance appropriation provided for 2005 for part B of IDEA in a bill or joint resolution making appropriations for fiscal year 2004, provides in excess of $11,038,000,000 in new budget authority for fiscal year 2005 for grants to States authorized under part B of IDEA as described in subsection (a), the chairman of the Committee on the Budget may revise the appropriate allocations for such committee and other appropriate levels in this resolution by that excess amount provided by that measure for that purpose, but not to exceed $209,000,000 in new budget authority for fiscal year 2005 and outlays flowing therefrom.*

***SEC. 212. ADJUSTMENT FOR HIGHWAYS AND HIGHWAY SAFETY AND TRANSIT.***

*In the Senate, if the Committee on Environment and Public Works, or the Committee on Banking, Housing, and Urban Affairs, or the Committee on Commerce, Science, and Transportation reports a bill or joint resolution, or if an amendment thereto is offered or a conference report thereon is submitted, that reauthorizes the programs set out in the Transportation Equity Act for the 21st Century and that legislation provides new governmental receipts reported from the Committee on Finance, the chairman of the Committee on the Budget, may revise committee allocations for the appropriate committees and the transportation limits in section 202 by an amount consistent with the level of new receipts.*

***SEC. 213. RESERVE FUND FOR MEDICARE.***

*If the Committee on Finance of the Senate reports a bill or joint resolution, or an amendment is offered thereto, or a conference report thereon is submitted, which strengthens and enhances the Medicare Program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and improves the access of beneficiaries under that program to prescription drugs or promotes geographic equity payments, the chairman of the Committee on the Budget, may revise committee allocations for that committee and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that measure for that purpose, but not to exceed $400,000,000,000 for the period of fiscal years 2004 through 2013.*

***SEC. 214. RESERVE FUND FOR HEALTH INSURANCE FOR THE UNINSURED.***

*If the Committee on Finance of the Senate reports a bill or joint resolution, or an amendment thereto is offered, or a conference report thereon is submitted, that provides health insurance for the uninsured (including a measure providing for tax deductions for the purchase of health insurance for, among others, moderate income individuals not receiving health insurance from* *their employers), the chairman of the Committee on the Budget may revise committee allocations for that committee and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) and may revise the revenue aggregates and other appropriate budgetary aggregates and allocations in this resolution by the amount provided by that measure for that purpose, but not to exceed $88,000,000,000 for the period of fiscal years 2004 through 2013.*

***SEC. 215. RESERVE FUND FOR CHILDREN WITH SPECIAL NEEDS.***

*If the Committee on Finance of the Senate reports a bill or joint resolution, or if an amendment thereto is offered or a conference report thereon is submitted, that provides States with the option to expand Medicaid coverage for children with special needs, allowing families of disabled children to purchase coverage under the Medicaid Program for such children, the chairman of the Committee on the Budget may revise committee allocations for that committee and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that measure for that purpose, but not to exceed $43,000,000 in new budget authority and $42,000,000 in outlays for fiscal year 2004, and $7,462,000,000 in new budget authority and $7,262,000,000 in outlays for the period of fiscal years 2004 through 2013.*

***SEC. 216. RESERVE FUND FOR MEDICAID REFORM.***

*If the Committee on Finance of the Senate reports a bill or joint resolution, or if an amendment thereto is offered or a conference report thereon is submitted, that provides significant reform of the Medicaid Program, the chairman of the Committee on the Budget may revise committee allocations for that committee and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that measure for that purpose, but not to exceed $3,258,000,000 in new budget authority and outlays for fiscal year 2004, and $8,944,000,000 in new budget authority and outlays for the period of fiscal years 2004 through 2008, and not more than $12,782,000,000 in budget authority and outlays for the period of fiscal years 2004 through 2010 provided further that the legislation would not increase the deficit over the period of fiscal years 2004 through 2013.*

***SEC. 217. RESERVE FUND FOR PROJECT BIOSHIELD.***

*If the Committee on Health, Education, Labor, and Pensions of the Senate reports a bill or joint resolution, or if an amendment thereto is offered or a conference report thereon is submitted, that will facilitate procurement for inclusion by the Secretary of Health and Human Services in the Strategic National Stockpile of countermeasures necessary to protect the public health from current and emerging threats of chemical, biological, radiological, or nuclear agents, the chairman of the Committee on the Budget may revise committee allocations for that committee and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that measure for that purpose, but not to exceed $890,000,000 in new budget authority and $575,000,000 in outlays for fiscal year 2004, and $5,593,000,000 in new budget authority and $5,593,000,000 in outlays for the period of fiscal years 2004 through 2013.*

***SEC. 218. RESERVE FUND FOR STATESIDE GRANT PROGRAM.***

*(a) CONDITION.—If the Committee on Energy and Natural Resources of the Senate reports a bill or joint resolution that permits exploration and production of oil in the 1002 Area of the Arctic National Wildlife Refuge and such measure is enacted, the chairman of the Committee on the Budget of the Senate may make the adjustments described in subsection (b).*

*(b) ADJUSTMENT FOR THE LAND AND WATER CONSERVATION FUND STATE GRANT PROGRAM.—If the Committee on Energy and Natural Resources of the Senate reports a bill or joint resolution, or if an amendment thereto is offered or a conference report thereon is submitted that makes available a portion of the receipts resulting from enactment of the legislation described in subsection (a) for the National Park Service Stateside Grant Program which is currently funded as a part of the Land and Water Conservation Fund, the chairman of the Committee on the Budget may revise committee allocations for that committee and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that measure for that purpose, but not to exceed $750,000,000 in new budget authority (and the outlays flowing therefrom) for the period of fiscal years 2004 through 2008 and $2,000,000,000 in new budget authority (and the outlays flowing therefrom) for the period of fiscal years 2004 through 2013, provided further that no funds become available prior to fiscal year 2006 and the amount of funds made available in any single fiscal year does not exceed $250,000,000 per year.*

***SEC. 219. RESERVE FUND FOR STATE CHILDREN'S HEALTH INSURANCE PROGRAM.***

*If the Committee on Finance of the Senate reports a bill or joint resolution, or if an amendment thereto is offered or a conference report thereon is submitted, that extends the availability of fiscal year 1998 and 1999 expired State Children's Health Insurance Program allotments and the expiring fiscal year 2000 allotments, the chairman of the Committee on the Budget may revise committee allocations for that committee and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that measure for that purpose, but not to exceed $1,260,000,000 in new budget authority and $85,000,000 in outlays for fiscal year 2003, $1,330,000,000 in new budget authority and $85,000,000,000 in outlays for fiscal year 2004, $1,950,000,000 in new budget authority and $845,000,000 in outlays for the period of fiscal years 2003 through 2008, and $1,825,000,000 in new budget authority and $975,000,000 in outlays for the period of fiscal years 2003 through 2013.*

***Subtitle C—Miscellaneous Provisions***

***SEC. 221. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.***

*In the Senate, upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget shall make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).*

***SEC. 222. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.***

*(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—*

*(1) apply while that measure is under consideration;*

*(2) take effect upon the enactment of that measure; and*

*(3) be published in the Congressional Record as soon as practicable.*

*(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.*

*(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—*

*(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committees on the Budget of the House of Representatives and the Senate; and*

*(2) such chairman, as applicable, may make any other necessary adjustments to such levels to carry out this resolution.*

***SEC. 223. EXERCISE OF RULEMAKING POWERS.***

*Congress adopts the provisions of this title—*

*(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and*

*(2) with full recognition of the constitutional right of either House to change those rules (so far as they relate to that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.*

***TITLE III—SENSE OF THE SENATE***

***SEC. 301. SENSE OF THE SENATE ON FEDERAL EMPLOYEE PAY.***

*(a) FINDINGS.—The Senate finds the following:*

*(1) Members of the uniformed services and civilian employees of the United States make significant contributions to the general welfare of the Nation.*

*(2) Increases in the pay of members of the uniformed services and of civilian employees of the United States have not kept pace with increases in the overall pay levels of workers in the private sector, so that there now exists—*

*(A) a 32 percent gap between compensation levels of Federal civilian employees and compensation levels of private sector workers; and*

*(B) an estimated 10 percent gap between compensation levels of members of the uniformed services and compensation levels of private sector workers.*

*(3) The President's budget proposal for fiscal year 2004 includes an average 4.1 percent pay raise for military personnel.*

*(4) The Office of Management and Budget has requested that Federal agencies plan their fiscal year 2004 budgets with a 2 percent pay raise for civilian Federal employees.*

*(5) In almost every year during the past two decades, there have been equal adjustments in the compensation of members of the uniformed services and the compensation of civilian employees of the United States.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that rates of compensation for civilian employees of the United States should be adjusted at the same time, and in the same proportion, as are rates of compensation for members of the uniformed services.*

***SEC. 302. SENSE OF THE SENATE ON TRIBAL COLLEGES AND UNIVERSITIES.***

*(a) FINDINGS.—The Senate finds the following:*

*(1) More than 30,000 full- and part-time Native American students from 250 federally recognized tribes nationwide attend tribal colleges and Universities, a majority of whom are first-generation college students.*

*(2) The colleges and universities are located in rural and isolated areas and are often the only accredited institutions of higher education in their service area. While the Tribal College Act provides funding solely for Indian students, the colleges serve students of all ages, about 20 percent of whom are non-Indian. With rare exception, tribal colleges and universities do not receive operating funds from the States for these non-Indian State resident students. Yet, if these same students attended any other public institution in their States, the State would provide basic operating funds to that institution.*

*(3) While Congress has been increasing the annual appropriations for tribal colleges in recent years, the President's fiscal year 2004 budget recommends a $4,000,000 decrease in institutional operating funds. The combination of annual increases in enrollments, reduced Federal*

*funding, and the addition of two new tribal colleges would result in a devastating decrease in funding of $540 per student below the fiscal year 2003 estimate.*

*(4) Despite a $2,000,000 increase in fiscal year 2003 for basic institutional operating budgets of the reservation-based tribal colleges, the per Indian student count (ISC) is only $30 more than in fiscal year 2002, or $3,946, still less than ⅔ of the $6,000 authorized.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that—*

*(1) this resolution recognizes the funding challenges faced by tribal colleges and assumes that priority consideration will be provided to them through funding through the Tribally Controlled College or University Assistance Act, the Equity in Educational Land Grant Status Act, title III of the Higher Education Act, and the National Science Foundation Tribal College Program; and*

*(2) such priority consideration reflects Congress' intent to continue to work toward statutory Federal funding goals for the tribal colleges and universities.*

***SEC. 303. SENSE OF THE SENATE REGARDING THE 504 SMALL BUSINESS CREDIT PROGRAM.***

*(a) FINDINGS.—The Senate finds the following:*

*(1) Small businesses play a critical role in our Nation and our economy and the Federal Government assists that role by providing small businesses with loans and loan guarantees.*

*(2) Since the enactment of the Federal Credit Reform Act of 1990, the Small Business Administration and the Office of Management and Budget have repeatedly overestimated the subsidy cost of the Small Business Administration's 7(a) and 504 credit programs. Those overestimates have resulted in borrowers and lenders having to pay higher than necessary fees to participate in those programs.*

*(3) Last year, in response to bipartisan pressure from the Senate Budget and Small Business Committees, the administration developed a new econometric model to improve the accuracy of its estimates of the cost of the 7(a) program. Consistent with claims by the Senate Budget and Small Business Committees, that effort resulted in the administration lowering the estimated subsidy cost of the 7(a) program by an astounding 40 percent in 2003, allowing the Federal Government to guarantee an additional $3,300,000,000 in small business loans this year alone.*

*(4) Notwithstanding past assurances, the administration, however, has failed to begin work on an econometric model for the 504 small business credit program, despite similar, chronic problems with estimates of that program's costs.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that—*

*(1) the performance of the SBA and OMB in administering the Federal Credit Reform Act for the 504 small business credit program remains unsatisfactory;*

*(2) the administration should develop an econometric model for the 504 program for use in the fiscal year 2004 appropriations cycle; and*

*(3) the Office of Management and Budget should report to the Budget and Small Business Committees on the progress of this work by no later than June 2003.*

***SEC. 304. SENSE OF THE SENATE REGARDING PELL GRANTS.***

*(a) FINDINGS.—The Senate finds the following:*

*(1) Public investment in higher education yields a return of several dollars for each dollar invested.*

*(2) Higher education promotes economic opportunity.*

*(3) For a generation, the Federal Pell Grant has served as an effective means of providing access to higher education.*

*(4) Over the past decade, the Pell Grant has failed to keep pace with inflation, and over the past 25 years, the value of the average Pell Grant has decreased substantially.*

*(5) Grant aid as a portion of student aid has fallen significantly over the past 5 years.*

*(6) The percentage of freshmen attending public and private 4-year institutions from families whose income is below the national median has fallen since 1981.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—*

*(1) within the discretionary allocation provided to the Committee on Appropriations, the maximum Pell Grant award should be raised to the maximum extent practicable, and funding for the Pell Grant program should be higher than the level requested by the President; and*

*(2) to the maximum extent practicable, Congress should seek to increase the maximum individual Federal Pell Grant award to $9,000 by fiscal year 2010.*

***SEC. 305. SENSE OF THE SENATE REGARDING THE NATIONAL GUARD.***

*(a) FINDINGS.—The Senate finds the following:*

*(1) The Army National Guard relies heavily upon thousands of full-time employees, Active Guard/Reserves and Military Technicians, to ensure unit readiness throughout the Army National Guard.*

*(2) These employees perform vital day-to-day functions, ranging from equipment maintenance to leadership and staff roles, that allow the National Guard to dedicate drill weekends and annual active duty training of part-time personnel to preparation for the National Guard's war fighting and peacetime missions.*

*(3) The role of full-time National Guard personnel is especially important as tens of thousands of our National Guard and Reserve forces are being mobilized for the ongoing fight against terrorism and in preparation for a possible war with Iraq.*

*(4) When the ability to provide sufficient Active Guard/Reserves and Military Technicians end strength is reduced, unit readiness, as well as quality of life for soldiers and families, is degraded.*

*(5) The Army National Guard, with agreement from the Department of Defense, requires a minimum essential requirement of 25,286 Active Guard/Reserves and 26,189 Military Technicians.*

*(6) The fiscal year 2004 budget request for the Army National Guard includes the minimum required end strengths, but provides resources sufficient for only approximately 24,562 Active Guard/Reserves and 25,702 Military Technicians, funding shortfalls of $51,200,000 and $29,300,000, respectively.*

*(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the functional totals in this resolution assume that the Department of Defense will give priority to fully funding the Active Guard/Reserves and Military Technicians at least at the minimum required levels.*

***SEC. 306. SENSE OF THE SENATE REGARDING WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.***

*(a) FINDINGS.—The Senate finds the following:*

*(1) The emerging chemical, biological, and other threats of the 21st century present new challenges to our military and to local first responders.*

*(2) Local first responders are on the front lines of combating terrorism and responding to other large-scale incidents.*

*(3) The National Guard's Weapons of Mass Destruction Civil Support Teams (WMD–CSTs) play a vital role in assisting local first responders in investigating and combating these new threats.*

*(4) The September 11, 2001, terrorist attacks emphasize the need to have full-time WMD–CSTs in each State.*

*(5) There are currently 32 full-time and 23 part-time WMD–CSTs.*

*(6) Section 1403 of Public Law 107–314, the Bob Stump National Defense Authorization Act for Fiscal Year 2003, requires the Secretary of Defense to establish an additional 23 WMD–CSTs and that at least one team be located in each State and territory of the United States.*

*(7) The President's fiscal year 2004 budget request includes no funding for these additional WMD–CSTs.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that—*

*(1) the functional totals in this resolution assume that the Department of Defense should give priority to fully implementing section 1403 of Public Law 107–314, the Bob Stump National Defense Authorization Act for Fiscal Year 2003; and*

*(2) the Department should increase its full-time manning requirements to include the 506 additional full-time National Guard personnel that will be needed to man the 23 additional WMD–CSTs.*

***SEC. 307. SENSE OF THE SENATE ON EMERGENCY AND DISASTER ASSISTANCE FOR LIVESTOCK AND AGRICULTURE PRODUCERS.***

*(a) FINDINGS.—The Senate finds the following:*

*(1) Significant portions of the United States suffered through severe drought conditions in 2000 and 2001.*

*(2) The economic effects of drought are long-term and widespread.*

*(3) Current drought indices predict that the drought will continue through 2003.*

*(4) Congress has a history of providing financial assistance to agricultural and livestock producers for losses incurred due to drought.*

*(5) Emphasis must be placed on planning efforts that will mitigate the negative effects of drought.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Senate—*

*(1) develop a long-term drought plan that effectively recognizes the reoccurring nature of drought cycles and adequately support emergency and disaster assistance to livestock and agricultural producers hurt by drought; and*

*(2) establish an agricultural reserve to fund the activities in paragraph (1).*

***SEC. 308. SOCIAL SECURITY RESTRUCTURING.***

*(a) FINDINGS.—The Senate finds that—*

*(1) Social Security is the foundation of retirement income for most Americans;*

*(2) preserving and strengthening the long term viability of Social Security is a vital national priority and is essential for the retirement security of today's working Americans, current and future retirees, and their families;*

*(3) Social Security faces significant fiscal and demographic pressures;*

*(4) the nonpartisan Office of the Chief Actuary at the Social Security Administration reports that—*

*(A) the number of workers paying taxes to support each Social Security beneficiary has dropped from 16.5 in 1950 to 3.3 in 2002;*

*(B) within a generation there will be only 2 workers to support each retiree, which will substantially increase the financial burden on American workers;*

*(C) without structural reform, the Social Security system, beginning in 2018, will pay out more in benefits than it will collect in taxes;*

*(D) without structural reform, the Social Security trust fund will be exhausted in 2042, and Social Security tax revenue in 2042 will only cover 73 percent of promised benefits, and will decrease to 65 percent by 2077;*

*(E) without structural reform, future Congresses may have to raise payroll taxes 50 percent over the next 75 years to pay full benefits on time, resulting in payroll tax rates of as much as 16.9 percent by 2042 and 18.9 percent by 2077;*

*(F) without structural reform, Social Security's total cash shortfall over the next 75 years is estimated to be more than $25,000,000,000,000 in constant 2003 dollars or $3,500,000,000,000 measured in present value terms;*

*(G) absent structural reforms, spending on Social Security will increase from 4.4 percent of gross domestic product in 2003 to 7.0 percent in 2077; and*

*(5) the Congressional Budget Office, the General Accounting Office, the Congressional Research Service, the Chairman of the Federal Reserve Board, and the President's Commission to Strengthen Social Security have all warned that failure to enact fiscally responsible Social Security reform quickly will result in 1 or more of the following:*

*(A) Higher tax rates.*

*(B) Lower Social Security benefit levels.*

*(C) Increased Federal debt or less spending on other Federal programs.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that—*

*(1) the President, the Congress and the American people (including seniors, workers, women, minorities, and disabled persons) should work together at the earliest opportunity to enact legislation to achieve a solvent and permanently sustainable Social Security system; and*

*(2) Social Security reform—*

*(A) must protect current and near retirees from any changes to Social Security benefits;*

*(B) must reduce the pressure on future taxpayers and on other budgetary priorities;*

*(C) must provide benefit levels that adequately reflect individual contributions to the Social Security System.*

*(D) must preserve and strengthen the safety net for vulnerable populations, including the disabled and survivors.*

*(3) We should honor section 13301 of the Budget Enforcement Act of 1990.*

***SEC. 309. SENSE OF THE SENATE CONCERNING STATE FISCAL RELIEF.***

*(a) FINDINGS.—The Senate makes the following findings:*

*(1) States are experiencing the most severe fiscal crisis since World War II.*

*(2) States are instituting severe cuts to a variety of vital programs such as health care, child care, education, and other essential services.*

*(3) According to the Kaiser Commission on Medicaid and the Uninsured, 49 States already have taken actions or plan to cut medicaid before or during the current fiscal year 2003. Medicaid budget proposals in many States would eliminate or curtail health benefits for eligible families and substantially reduce or freeze provider reimbursement rates.*

*(4) In 2002, at least 13 States reported decreased State investments in their child care assistance programs.*

*(5) According to a forthcoming analysis of 22 States, at least 1,700,000 people are now at risk of losing their health care coverage under cuts that have already been implemented or proposed.*

*(6) Fiscal relief would help avoid adding even more Americans to the ranks of the uninsured while preserving the safety net when it is most needed during an economic downturn.*

*(7) Curtailing the States' need to cut spending and increase taxes is essential for true economic growth.*

*(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the functional totals in this resolution assume that any legislation enacted to provide economic growth for the United States should include not less than $30,000,000,000 for State fiscal relief over the next 18 months (of which at least half should be provided through a temporary increase in the Federal medical assistance percentage (FMAP)).*

***SEC. 310. FEDERAL AGENCY REVIEW COMMISSION.***

*It is the sense of the Senate that a commission should be established to review Federal domestic agencies, and programs within such agencies, with the express purpose of providing Congress with recommendations, and legislation to implement those recommendations, to realign or eliminate government agencies and programs that are duplicative, wasteful, inefficient, outdated, or irrelevant, or have failed to accomplish their intended purpose.*

***SEC. 311. SENSE OF THE SENATE REGARDING HIGHWAY SPENDING.***

*(a) FINDINGS.—The Senate makes the following findings:*

*(1) Highway construction funding should increase over current levels.*

*(2) The Senate Budget Committee-passed Resolution increases highway funding above the President's request.*

*(3) All vehicles, whether they are operated by gasoline, gasohol, or electricity, do damage to our highways.*

*(4) As set out in TEA–21, the direct relationship between excise taxes and highway spending makes sense and should be maintained.*

*(5) Highways should be funded through user fees such as excise taxes and not through the General Fund of the Treasury.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Senate should only consider legislation that increases highway spending if such legislation changes highway user fees to pay for such increased spending.*

***SEC. 312. SENSE OF THE SENATE CONCERNING AN EXPANSION IN HEALTH CARE COVERAGE.***

*(a) FINDINGS.—The Senate finds that—*

*(1) there were 74,700,000 Americans who were uninsured for all or part of the two-year period of 2001 and 2002;*

*(2) this large group of uninsured Americans constitutes almost one out of every three Americans under the age of 65;*

*(3) most of these uninsured individual were without health coverage for lengthy periods of time, with two-thirds of them uninsured for over six months;*

*(4) four out of five uninsured individuals are in working families;*

*(5) high health care costs, the large number of unemployed workers, and State cutbacks of public health programs occasioned by State fiscal crises are causing more and more individuals to become uninsured; and*

*(6) uninsured individuals are less likely to have a usual source of care outside of an emergency room, often go without screenings and preventive care, often delay or forgo needed medical care, are often subject to avoidable hospital days, and are sicker and die earlier than those individuals who have health insurance.*

*(b) SENSE OF SENATE.—It is the sense of the Senate that the functional totals in this resolution assume that—*

*(1) expanded access to health care coverage throughout the United States is a top priority for national policymaking; and*

*(2) to the extent that additional funds are made available, a significant portion of such funds should be dedicated to expanding access to health care coverage so that fewer individuals are uninsured and fewer individuals are likely to become uninsured.*

***SEC. 313. SENSE OF THE SENATE ON THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.***

*(a) FINDINGS.—The Senate finds the following:*

*(1) The control of illegal immigration is a Federal responsibility.*

*(2) In fiscal year 2002, however, State and local governments spent more than $13,000,000,000 in costs associated with the incarceration of undocumented criminal aliens.*

*(3) The Federal Government provided $565,000,000 in appropriated funding to the State Criminal Alien Assistance Program (SCAAP) to reimburse State and local governments for these costs.*

*(4) In fiscal year 2003, the fiscal burden of incarcerating undocumented criminal aliens is likely to grow, however, Congress provided only $250,000,000 to help cover these costs.*

*(5) The 56 percent cut in fiscal year 2003 funding for SCAAP will place an enormous burden on State and local law enforcement agencies during a time of heightened efforts to secure our homeland.*

*(6) The Administration did not include funding for SCAAP in its fiscal year 2004 budget.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that—*

*(1) the functional totals underlying this resolution on the budget assumes that the State Criminal Alien Assistance Program be funded at $585,000,000 to reimburse State and local law enforcement agencies for the burdens imposed in fiscal year 2003 by the incarceration of undocumented criminal aliens; and*

*(2) Congress enact a long-term reauthorization of the State Criminal Alien Assistance Program beginning with the authorization of $750,000,000 in fiscal year 2004 to reimburse State and county governments for the burdens undocumented criminal aliens have placed on the local criminal justice system.*

***SEC. 314. SENSE OF THE SENATE CONCERNING PROGRAMS OF THE CORPS OF ENGINEERS.***

*(a) FINDINGS.—The Senate finds that—*

*(1) the Corps of Engineers provides quality, responsive engineering services to the United States, including planning, designing, building, and operating invaluable water resources and civil works projects;*

*(2) the ports of the United States are a vital component of the economy of the United States, playing a critical role in international trade and commerce and in maintaining the energy supply of the United States;*

*(3) interruption of port operations would have a devastating effect on the United States;*

*(4) the navigation program of the Corps enables 2,400,000,000 tons of commerce to move on navigable waterways;*

*(5) the Department of Transportation estimates that those cargo movements have created jobs for 13,000,000 people;*

*(6) flood damage reduction structures provided and maintained by the Corps save taxpayers $21,000,000,000 in damages every year, in addition to numerous human lives;*

*(7) the Corps designs and manages the construction of military facilities for the Army and Air Force while providing support to the Department of Defense and other Federal agencies;*

*(8) the Civil Works program of the Corps adds significant value to the economy of the United States, including recreation and ecosystem restoration;*

*(9) through contracting methods, the civil works program employs thousands of private sector contract employees, as well as Federal employees, in all aspects of construction, science, engineering, architecture, management, planning, design, operations, and maintenance; and*

*(10) the Bureau of Labor Statistics indicates that $1,000,000,000 expended for the Civil Works program generates approximately 40,000 jobs in support of construction operation and maintenance activities in the United States.*

*(b) BUDGETARY ASSUMPTIONS.—It is the sense of the Senate that—*

*(1) to perform vital functions described in subsection (a), the Corps of Engineers requires additional funding; and*

*(2) the budgetary totals in this resolution assume that the level of funding provided for programs of the Corps described in subsection (a) will not be reduced below current baseline spending levels established for the programs.*

***SEC. 315. RADIO INTEROPERABILITY FOR FIRST RESPONDERS.***

*(a) STUDY.—It is the sense of the Senate that the Attorney General, in consultation with the Secretary of Homeland Security, should conduct a study of the need and cost to make the radio systems used by fire departments and emergency medical services agencies interoperable with those used by law enforcement to the extent that interoperability will not interfere with law enforcement operations.*

*(b) GRANT PROGRAM.—It is the sense of the Senate that Congress should authorize and appropriate $20,000,000 to establish a grant program through which the Attorney General would award grants to local governments to assist fire departments and emergency medical services agencies to establish radio interoperability.*

***SEC. 316. SENSE OF THE SENATE ON CORPORATE TAX HAVEN LOOPHOLES.***

*(a) FINDINGS.—Congress finds that companies are taking advantage of loopholes in the United States tax code to direct taxable income to tax haven jurisdictions, some of which have excessive bank secrecy laws and a poor record of cooperation with United States civil and criminal tax enforcement.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Senate should act to stop companies from avoiding paying their fair share of United States taxes by—*

*(1) addressing the problem of corporations that have renounced their United States citizenship (''inverted'') by relocating their headquarters to tax haven jurisdictions while maintaining their primary offices and production or service facilities in the United States; and*

*(2) addressing the problem of Bermuda-based insurance companies that are using reinsurance agreements with their subsidiaries to direct property and casualty insurance premiums out of the United States into Bermuda to reduce their United States taxes in a way that places United States property and casualty insurance companies at a competitive disadvantage.*

***SEC. 317. SENSE OF SENATE ON PHASED-IN CONCURRENT RECEIPT OF RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES RATED AT 60 PERCENT OR HIGHER.***

*It is the sense of the Senate that the new budget authority and outlays for fiscal years 2004 through 2013 for National Defense (050) specified in section 103(1) are adequate to provide, and should provide, for the phased-in of concurrent receipt of retired pay and veterans' disability compensation by veterans with service-connected disabilities rated 60 percent or higher as if section 1414 of title 10, United States Code, were amended to read as follows:*

***''§ 1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation for disabilities rated at 60 percent or higher***

*''(a) PAYMENT OF BOTH RETIRED PAY AND COMPENSATION.—A member or former member of the uniformed services described in subsection (b) is entitled to be paid retired pay, up to the amount determined for such member or former member under subsection (d), in addition to any entitlement to veterans' disability compensation, without regard to sections 5304 and 5305 of title 38.*

*''(b) COVERED MEMBERS.—A member or former member described in this subsection is any member or former member who is entitled to retired pay (other than as specified in subsection (c)) and who is also entitled to veterans' disability compensation for a service-connected disability rated at 60 percent or higher, as determined under laws administered by the Secretary of Veterans Affairs.*

*''(c) EXCEPTION.—Subsection (a) does not apply to a member retired under chapter 61 of this title with less than 20 years of service otherwise creditable under section 1405 of this title at the time of the member's retirement.*

*''(d) MAXIMUM AMOUNT OF RETIRED PAY.—The maximum amount of retired pay to which a member or former member is entitled under subsection (a) is as follows:*

*''(1) For months beginning with January 2004 and ending with December 2004, the amount equal to 45 percent of the amount of retired pay to which the member or former member would be entitled if the member or former member were paid retired pay without regard to sections 5304 and 5305 of title 38 for such months.*

*''(2) For months beginning with January 2005 and ending with December 2005, the amount equal to 60 percent of the amount of retired pay to which the member or former member would be entitled if the member or former member were paid retired pay without regard to sections 5304 and 5305 of title 38 for such months.*

*''(3) For months beginning with January 2006 and ending with December 2006, the amount equal to 80 percent of the amount of retired pay to which the member or former member would be entitled if the member or former member were paid retired pay without regard to sections 5304 and 5305 of title 38 for such months.*

*''(4) For months beginning after December 2006, the amount equal to the full amount of retired pay to which the member or former member would be entitled if the member or former member were paid retired pay without regard to sections 5304 and 5305 of title 38 for such months.*

*''(e) DEFINITIONS.—In this section:*

*''(1) The term 'retired pay' includes retainer pay, emergency officers' retirement pay, and naval pension.*

*''(2) The term 'service-connected' has the meaning given that term in section 101(16) of title 38.*

*''(3) The term 'veterans' disability compensation' has the meaning given the term 'compensation' in section 101(12) of title 38.''.*

*(2) COORDINATION WITH SPECIAL COMPENSATION AUTHORITY.—Section 1413 of such title is amended—*

*(1) in subsection (a)—*

*(A) by inserting '', for months in 2002 and 2003,'' after ''Secretary concerned shall''; and*

*(B) by striking the last sentence; and*

*(2) in subsection (b)—*

*(A) in paragraph (2), by striking ''September 2004'' and inserting ''December 2003''; and*

*(B) by striking paragraph (3).*

*(3) ADDITIONAL CONFORMING AMENDMENTS.—(A) Effective on December 31, 2003, section 1413a of such title is repealed.*

*(B) Effective on the date of the enactment of this Act, subsection (d) of section 641 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1150; 10 U.S.C. 1414 note) is repealed.*

*(4) CLERICAL AMENDMENTS.—(A) Effective on the date of the enactment of this Act, the table of sections at the beginning of chapter 71 of title 10, United States Code, is amended by striking the item relating to section 1414 and inserting the following new item:*

*''1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation for disabilities rated at 60 percent or higher.''.*

*(B) Effective December 31, 2003, the table of sections at the beginning of such chapter is amended by striking the item relating to section 1413a.*

***SEC. 318. SENSE OF THE SENATE CONCERNING NATIVE AMERICAN HEALTH.***

*It is the sense of the Senate that Congress has recognized the importance of Native American health. In 1997, Congress enacted a program to spend $30,000,000 a year on research and treatment on diabetes in the Native American community. This amount was increased to $100,000,000 a year in 2000 and further increased to $150,000,000 a year in 2002. This is a 500 percent increase since 1997. This priority focuses on prevention and treatment for a major disease in the Native American community.*

***SEC. 319. RESERVE FUND TO STRENGTHEN SOCIAL SECURITY.***

*If legislation is reported by the Senate Committee on Finance, or an amendment thereto is offered or a conference report thereon is submitted that would extend the solvency of the Social Security Trust Funds, the Chairman of the Senate Committee on the Budget may revise the aggregates, functional totals, allocations, and other appropriate levels and limits in this resolution by up to $396,000,000,000 in budget authority and outlays for the total of fiscal years 2003 through 2013.*

***SEC. 320. SENSE OF THE SENATE ON PROVIDING TAX AND OTHER INCENTIVES TO REVITALIZE RURAL AMERICA.***

*It is the sense of the Senate that if tax relief measures are passed in accordance with the assumptions in the budget resolution in this session of Congress, such legislation should include tax and other financial incentives, like those included in the New Homestead Act (S. 602), to help rural communities fight the economic decimation caused by chronic out-migration by giving them the tools they need to attract individuals to live and work, or to start and grow a business, in such rural areas.*

***SEC. 321. SENSE OF THE SENATE CONCERNING HIGHER EDUCATION AFFORDABILITY.***

*(a) FINDINGS.—The Senate finds that—*

*(1) in our increasingly competitive global economy, the attainment of higher education is critical to the economic success of an individual, as evidenced by the fact that, in 1975, college graduates earned an average of 57 percent more than individuals who were only high school graduates, as compared to the fact that, in 2001, college graduates earned an average of 84 percent more than high school graduates;*

*(2) over the past 20 years, the average cost of college tuition has increased by over 250 percent and is increasing—*

*(A) at a faster rate than any consumer item, including health care; and*

*(B) at a rate that is more than twice as fast as the rate of inflation;*

*(3) despite increases in grant amounts contained in legislation recently enacted by Congress, the value of the maximum Pell Grant has declined 15 percent since 1975 in inflation-adjusted terms, forcing more students to rely on student loans to finance the cost of a higher education;*

*(4) from fiscal years 1990 to 2000, the demand for student loans rose by 41 percent and the average student loan amount increased by 48.2 percent; and*

*(5) according to the Department of Education, there is approximately $150,000,000,000 in outstanding student loan debt and students borrowed more during the decade beginning in 1990 than during all of the decades beginning in 1960, 1970, and 1980.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that economic stimulus legislation enacted pursuant to the instructions contained in this concurrent resolution on the budget should include provisions to make higher education affordable, including—*

*(1) a provision to make permanent the above-the-line deduction for the higher education expenses of a taxpayer and members of the taxpayer's family and to increase such deduction to $8,000 for taxable year 2003 and $12,000 for taxable year 2004 and thereafter; and*

*(2) a credit against tax of up to $1,500 for each taxable year (indexed for inflation) for interest paid during such taxable year on loans incurred for higher education expenses—*

*(A) during the first 60 months such payments are required; and*

*(B) paid by individuals who are not dependents.*

***SEC. 322. SENSE OF THE SENATE CONCERNING CHILDREN'S GRADUATE MEDICAL EDUCATION.***

*(a) FINDINGS.—The Senate finds that—*

*(1) children's hospitals provide excellent care for children;*

*(2) the importance of children's hospitals extends to the health care of all children throughout the United States;*

*(3) making up only 1 percent of all hospitals, independent children's hospitals train almost 30 percent of all pediatricians and 50 percent of all pediatric specialists;*

*(4) children's hospitals provide over 50 percent of the hospital care in the United States for children with serious illness, including needing cardiatric surgery, children with cancer, and children with cerebral palsy; and*

*(5) children's hospitals are important centers for pediatric research and the major pipeline for future pediatric researchers.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that, for fiscal year 2004, children's*

*graduate medical education should be funded at $305,000,000.*

***SEC. 323. SENSE OF THE SENATE ON FUNDING FOR CRIMINAL JUSTICE.***

*(a) FINDINGS.—The Senate finds that—*

*(1) bipartisan efforts have led to success in the fight against crime and improvements in the administration of justice;*

*(2) Congress steadily increased funding for crime identification technologies between 1994 and 2003; and*

*(3) a strong commitment to improve crime identification technologies is still needed.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that the funding levels in this resolution assume that the programs authorized under the Crime Identification Technology Act of 1998 to improve the justice system will be fully funded at the levels authorized for each of the fiscal years 2004 through 2007.*

***SEC. 324. SENSE OF THE SENATE CONCERNING FUNDING FOR DRUG TREATMENT PROGRAMS.***

*It is the sense of the Senate that the functional totals in this resolution assume that up to $20,000,000 from funds designated, but not obligated, for travel and administrative expenses, from drug interdiction activities should be used for service-oriented targeted grants for the utilization of substances that block the craving for heroin and that are newly approved for such use by the Food and Drug Administration.*

***SEC. 325. FUNDING FOR AFTER-SCHOOL PROGRAMS.***

*(a) FINDINGS.—Congress finds that:*

*(1) Studies show that organized extracurricular activities, such as after-school programs, reduce crime, drug use, and teenage pregnancy.*

*(2) According to the FBI, youth are most at risk for committing violent acts and being victims of violent crimes between 3:00 p.m. and 8:00 p.m.—after school is out and before parents arrive home.*

*(3) There remains a great need for after-school programs. The Census Bureau reported that at least 8 to 15 million children have no place to go after school is out.*

*(4) Current funding for after-school programs provide almost 1.4 million children across the country a safe and enriching place to go after school instead of being home alone.*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that funding for 21st Century Community Learning Centers is at least enough to ensure the number of children participating in after-school programs does not decrease.*

***SEC. 326. SENSE OF THE SENATE ON THE $1,000 CHILD CREDIT.***

*It is the sense of the Senate that extending the $1,000 child credit for 3 additional years (2011–2013) can be accommodated within the revenue totals and instructions of this resolution.*

***SEC. 327. SENSE OF THE SENATE CONCERNING FUNDING FOR DOMESTIC NUTRITION ASSISTANCE PROGRAMS.***

*(a) FINDINGS.—The Senate finds that—*

*(1) domestic nutrition assistance programs administered by the Secretary of Agriculture—*

*(A) have a long history of bipartisan support;*

*(B) have an accomplished record of preventing health problems for children and promoting the health, growth, and development of children;*

*(C) provide United States agricultural producers and food manufacturers with important and substantial markets through which they can obtain and sustain livelihoods; and*

*(D) are due to be reauthorized and improved during the 108th Congress; and*

*(2) the budget proposed by the President for fiscal year 2004—*

*(A) maintains current levels of funding for child nutrition;*

*(B) extends and improves nutrition assistance programs, including—*

*(i) the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773);*

*(ii) the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); and*

*(iii) the child and adult care food program established under the section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766); and*

*(C) renews and fully funds the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).*

*(b) SENSE OF THE SENATE.—It is the sense of the Senate that the final budget conference agreement should not take or propose any actions that reduce the level of funding provided for domestic nutrition assistance programs administered by the Secretary of Agriculture below current baseline spending levels for the programs.*

***SEC. 328. SENSE OF SENATE CONCERNING FREE TRADE AGREEMENT WITH THE UNITED KINGDOM.***

*It is the sense of the Senate that the President should negotiate a free trade agreement with the United Kingdom.*

***SEC. 329. RESERVE FUND FOR POSSIBLE MILITARY ACTION AND RECONSTRUCTION IN IRAQ.***

*(a) IN GENERAL.—Upon the favorable reporting of legislation by the Committee on Appropriations of the Senate making discretionary appropriations in excess of the levels assumed in this resolution for expenses for possible military action and reconstruction in Iraq in fiscal years 2003 through 2013, the Committee on the Budget of the Senate may, in consultation with the Chairman and Ranking Member of the appropriate committee, revise the level of total new budget authority and outlays, the functional totals, allocations, discretionary spending limits, and levels of deficits and debt in this resolution by up to $100,000,000,000 in budget authority and outlays.*

*(b) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—*

*(1) apply while that measure is under consideration;*

*(2) take effect upon the enactment of that measure; and*

*(3) be published in the Congressional Record as soon as practicable.*

*(c) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.*

*(d) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—*

*(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate; and*

*(2) the Chairman of that Committee may make any other necessary adjustments to such levels to carry out this resolution.*

## SMALL BUSINESS DROUGHT RELIEF ACT OF 2003

Mr. BENNETT. Mr. President, I ask unanimous consent that the Small Business Committee be discharged from further action on S. 318 and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 318) to provide emergency assistance to nonfarm-related small business concerns that have suffered substantial economic harm from drought.

There being no objection, the Senate proceeded to consider the bill.

Mr. BENNETT. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements regarding this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 318) was read the third time and passed, as follows:

S. 318

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. LOANS TO SMALL BUSINESS CONCERNS DAMAGED BY DROUGHT.**

(a) SHORT TITLE.—This Act may be cited as the ‘‘Small Business Drought Relief Act of 2003’’.

(b) FINDINGS.—Congress finds that—

(1) as of July 2002, more than 36 States (including Massachusetts, South Carolina, and Louisiana) have suffered from continuing drought conditions;

(2) droughts have a negative effect on State and regional economies;

(3) many small businesses in the United States sell, distribute, market, or otherwise engage in commerce related to water and water sources, such as lakes, rivers, and streams;

(4) many small businesses in the United States suffer economic injury from drought conditions, leading to revenue losses, job layoffs, and bankruptcies;

(5) these small businesses need access to low-interest loans for business-related purposes, including paying their bills and making payroll until business returns to normal;

(6) absent a legislative change, the practice of the Small Business Administration of permitting only agriculture and agriculture-related businesses to be eligible for Federal disaster loan assistance as a result of drought conditions would likely continue;

(7) during the past several years small businesses that rely on the Great Lakes have suffered economic injury as a result of lower than average water levels, resulting from low precipitation and increased evaporation, and there are concerns that small businesses in other regions could suffer similar hardships beyond their control and that they should also be eligible for assistance; and

(8) it is necessary to amend the Small Business Act to clarify that nonfarm-related small businesses that have suffered economic injury from drought are eligible to receive financial assistance through Small Business Administration Economic Injury Disaster Loans.

(c) DROUGHT DISASTER AUTHORITY.—

(1) DEFINITION OF DISASTER.—Section 3(k) of the Small Business Act (15 U.S.C. 632(k)) is amended—

(A) by inserting ‘‘(1)’’ after ‘‘(k)’’; and

(B) by adding at the end the following:

‘‘(2) For purposes of section 7(b)(2), the term ‘disaster’ includes—

‘‘(A) drought; and

‘‘(B) below average water levels in the Great Lakes, or on any body of water in the United States that supports commerce by small business concerns.’’.

(2) DROUGHT DISASTER RELIEF AUTHORITY.—Section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) is amended—

(A) by inserting ‘‘including drought, with respect to both farm-related and nonfarm-related small business concerns affected by drought,’’ before ‘‘if the Administration’’; and